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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,309	03/12/2004	Toshihiko Watanabe	112857-467	8209

7590 05/31/2006
William E. Vaughan
Bell, Boyd & Lloyd LLC
P.O. Box 1135
Chicago, IL 60609

EXAMINER

LOUIE, WAI SING

ART UNIT	PAPER NUMBER
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2814

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/799,309

Applicant(s)

WATANABE ET AL.

Examiner

Wai-Sing Louie

Art Unit

2814

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-14,20-25,35 and 37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-14,20-25,35 and 37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-4, 9-11, and 20-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Shibata et al. (US 6,147,451).

With regard to claims 1, 9-10, and 20-21 Shibata et al. disclose a light-emitting display device, (col. 3, line 50 et seq. and fig. 9) comprising:

- A light-emitting device 20 main body having a light output surface 23 and transferred (col. 7, lines 52-65);
- A transparent electrode 24 formed in a size larger than a size of the light output surface 23 so as to cover the light output surface 23 and connected directly to a whole area of the light output surface 23 (col. 7, lines 9-17 and fig. 9), where the transparent electrode 24 provides direct connection 3a between a wiring 5 for supplying electrical power to the light-emitting device main body 20 and where the wiring is formed outside the region of the light output surface (fig. 9).

With regard to claim 3, in addition to the limitations disclosed in claim 1 above, Shibata et al. also disclose:

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- The light-emitting device main body is provided in the form of a chip 20 that includes a plurality of semiconductor layers (col. 1, lines 32-43).

With regard to claim 4, Shibata et al. disclose the transparent electrode 24 is connected to the light output surface 23 through a contact layer, where a size of the contact layer 23 is minute relative to the size of the light output surface 23 (col. 1, lines 32-43 and fig. 9).

With regard to claim 11, Shibata et al. disclose the transparent electrode 24 is formed collectively on the light surfaces of the plurality of light-emitting device main bodies 20 (fig. 8 and 9).

With regard to claims 22-23, Shibata et al. disclose the contact metal is gold, which is a noble metal (col. 1, line 27).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-8, 12-13, and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shibata et al. (US 6,147,451) in view of Yashiki (US 5,454,716).

With regard to claims 6 and 12, Shibata et al. do not disclose coating the light output surface with a conductive paste containing conductive particles dispersed in a light transmitting

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resin forms the transparent electrode. However, Yashiki discloses forming a conductive layer by coating the substrate with a layer of heat-cured resin embedded with conductive material such as metal particles (Yashiki col. 6, lines 32-36). Yashiki teaches the heat-cured conductive resin layer is stable; improves adhesion property to the device; and improves the image quality (Yashiki col. 6, lines 40-56). Therefore, it would have been obvious to one of ordinary skill in the art to modify Yoshitake's device with the teaching of Yashiki to provide a coating on the light output surface with a conductive layer containing conductive particles dispersed in a light transmitting resin in order produce stable; improves adhesion property to the device; and improves the image quality.

With regard to claims 7 and 13, Shibata et al. modified by Yashiki disclose the conductive particles scatter light emitted from the light output surface and diffuse the light from the transparent electrode (conductive layer) to an exterior of the device (Yashiki col. 6, lines 57-60).

With regard to claim 8, Shibata et al. modified by Yashiki disclose the conductive particles include ITO (col. 6, line 35 and col. 19 and line 17).

With regard to claims 24-25, Shibata et al. modified by Yashiki disclose the protective resin layer and a diffusion-preventing layer formed to cover the transparent electrode (conductive layer) to an exterior of the device (Yashiki col. 6, lines 40-56).

Claims 5, 14, 35, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shibata et al. (US 6,147,451) modified by Yashiki (US 5,454,716) as applied to claim 6 above, and further in view of Yoshitake et al. (US 6,900,473).

With regard to claims 5 and 37, Shibata et al. modified by Yashiki do not disclose the refractive index of the transparent electrode. However, Yoshitake et al. disclose the refractive index of the transparent electrode 17 (col. 7, lines 24-33) is lower than the refractive index of the semiconductor layer 13 including the light output surface (col. 8, line 33 and fig. 12) and is higher than the refractive index of a resin (col. 1, lines 31-32) provided on the upper side of the transparent electrode 17 (col. 3, lines 55-64). Yoshitake et al. teach the transparent electrode has a lower refractive index would reduce the internal reflection and has higher light output efficiency (Yoshitake col. 1, lines 28-39). Therefore, it would have been obvious to one of ordinary skill in the art to modify Shibata's device with the teaching of Yashiki and Yoshitake et al. to have a lower refractive index transparent electrode than the resin layer in order to reduce the internal reflection and have higher light output efficiency.

With regard to claims 14 and 35, in addition to the limitations disclosed in claim 1 above, Shibata et al. modified by Yashiki and Yoshitake et al. also disclose:

- A transparent electrode 24 formed in a size larger than a size of the light output surface 23 so as to cover the output surface 23 and connected directly to whole area of the light output surface 23 (fig. 9), but do not disclose through a contact layer where the size of the contact layer is less than the size of the light output surface 23. However, Shibata et al. modified by Yoshitake et al. disclose a

contact layer 36, which is less than the size of the light output surface 37 (Yoshitake fig. 1).

Response to Arguments

Applicant's arguments with respect to claims 1-14, 20-25, 35, and 37 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wai-Sing Louie whose telephone number is (571) 272-1709. The examiner can normally be reached on 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on (571) 272-1705. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Wai-Sing Louie', with a stylized flourish at the end.

Wai-Sing Louie
Patent Examiner

Wsl
May 29, 2006.